

# COMMITTEE REPORT

## MR. PRESIDENT:

**The Senate Committee on Commerce and Consumer Affairs, to which was referred Senate Bill No. 405, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1       Page 2, line 32, after "(3)" insert ",".
- 2       Page 2, line 32, strike "and".
- 3       Page 2, line 32, after "(4)," insert "**and (5),**".
- 4       Page 3, line 1, reset in roman "twenty-one (21)".
- 5       Page 3, line 1, delete "fifty (50)".
- 6       Page 3, line 10, reset in roman "twenty-one".
- 7       Page 3, line 11, reset in roman "(21)".
- 8       Page 3, line 11, delete "fifty (50)".
- 9       Page 3, line 12, delete "If the seller or transferor is unable to deliver
- 10      the".
- 11      Page 3, delete line 13.
- 12      Page 3, line 14, delete "or transfer, the" and insert "The".
- 13      Page 3, between lines 18 and 19, begin a new line block indented
- 14      and insert:
- 15           **"(5) Deliver the certificate of title to the purchaser or**
- 16           **transferee not later than fifty (50) days after the date of sale**
- 17           **or transfer of the vehicle, if all of the following conditions**
- 18           **exist:**
- 19               **(A) The seller or transferor is a vehicle dealer licensed by**
- 20               **the state under IC 9-23-2.**

1           **(B) The vehicle dealer is not able to deliver the certificate**  
 2           **of title at the time of sale or transfer.**

3           **(C) The vehicle dealer has a written verification from a**  
 4           **third party that holds the title regarding the inability of the**  
 5           **third party to deliver the title within twenty-one (21) days.**

6           **(D) The vehicle dealer provides the purchaser or**  
 7           **transferee with an affidavit under section 3.1 of this**  
 8           **chapter.**

9           **(E) The purchaser or transferee has made all agreed upon**  
 10           **initial payments for the vehicle, including delivery of a**  
 11           **trade-in vehicle without hidden or undisclosed statutory**  
 12           **liens."**

13           Page 3, line 21, after "(a)(3)" insert ",".

14           Page 3, line 21, strike "or".

15           Page 3, line 21, after "(a)(4)" insert ", or (a)(5)".

16           Page 3, line 22, after "(c)" insert "**A third party holding a**  
 17           **certificate of title indicating a lien must deliver to the owner,**  
 18           **purchaser, transferee, or additional lienholder, whichever is**  
 19           **appropriate, a lien release on the certificate of title or a written**  
 20           **notification of satisfaction of lien and written verification of any**  
 21           **title withholding policy within thirty (30) days after receipt of the**  
 22           **lien satisfaction payment.**

23           **(d) For purposes of this subsection, "timely deliver" means to**  
 24           **deliver not more than thirty (30) days after receipt of payment to**  
 25           **satisfy a lien that is indicated on a certificate of title."**

26           Page 4, line 4, strike "(d)" and insert "(e)".

27           Page 4, line 9, strike "(e)" and insert "(f)".

28           Page 7, line 1, delete "knowingly".

29           Page 7, line 2, reset in roman "Class C infraction".

30           Page 7, line 2, delete "Class D felony".

31           Page 9, line 25, delete "follows" and insert "**satisfies**".

32           Page 9, line 25, delete "procedure" and insert "**conditions**".

33           Page 9, line 25, delete "9-17-3-3(a)(4)(D)." and insert

- 1       **"9-17-3-3(a)(5)(C) and IC 9-17-3-3(a)(5)(D)."**
- 2       Page 9, line 26, begin a new paragraph beginning with "(f)".  
(Reference is to SB 405 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 7, Nays 1.

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**Server**

**Chairperson**